



**Service of Process
Transmittal**

08/20/2015

CT Log Number 527673602

TO: Kimberly Corrigan
FirstEnergy Corp.
76 S Main St Bsmt
Akron, OH 44308-1890

RE: Process Served in Ohio

FOR: FirstEnergy Corp. (Domestic State: OH)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: RICKEY HOWARD, Pltf. vs. FIRSTENERGY CORP., Dft.

DOCUMENT(S) SERVED: Summons, Attachment, Complaint

COURT/AGENCY: Cuyahoga County Court of Common Pleas, OH
Case # CV15849901

NATURE OF ACTION: Violations of the Telephone Consumer Protection Act

ON WHOM PROCESS WAS SERVED: C T Corporation System, Cleveland, OH

DATE AND HOUR OF SERVICE: By Courier on 08/20/2015

JURISDICTION SERVED : Ohio

APPEARANCE OR ANSWER DUE: Within 28 days after service, exclusive of the day of service (Document(s) may contain additional answer dates)

ATTORNEY(S) / SENDER(S): Michael L. Fine
3684 Silsby Road
University Heights, OH 44118
(216) 320-9950

ACTION ITEMS: CT has retained the current log, Retain Date: 08/20/2015, Expected Purge Date: 08/25/2015

Image SOP

Email Notification, FirstEnergy Service of Process
feserviceofprocess@firstenergycorp.com

SIGNED: C T Corporation System
ADDRESS: 1300 East 9th Street
Suite 1010
Cleveland, OH 44114
TELEPHONE: 216-802-2121

Exhibit A

SUMMONS IN A CIVIL ACTION COURT OF COMMON PLEAS, CUYAHOGA COUNTY JUSTICE CENTER
CLEVELAND, OHIO 44113CASE NO.
CV15849901

D1 FX

SUMMONS NO.
26834285

Rule 4 (B) Ohio

Rules of Civil
Procedure

SUMMONS

RICKEY HOWARD
VS
FIRSTENERGY CORP.

PLAINTIFF

DEFENDANT

FIRSTENERGY CORP.
C/O CT CORPORATION SYSTEM
1900 EAST 9TH STREET
CLEVELAND OH 44114

You have been named defendant in a complaint (copy attached hereto) filed in Cuyahoga County Court of Common Pleas, Cuyahoga County Justice Center, Cleveland, Ohio 44113, by the plaintiff named herein.

You are hereby summoned and required to answer the complaint within 28 days after service of this summons upon you, exclusive of the day of service.

Said answer is required to be served on Plaintiff's Attorney (Address denoted by arrow at left.)

Your answer must also be filed with the court within 3 days after service of said answer on plaintiff's attorney.

If you fail to do so, judgment by default will be rendered against you for the relief demanded in the complaint.

Said answer is required to be served on:

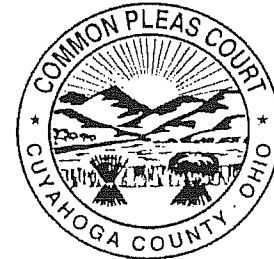


Plaintiff's Attorney

MICHAEL L FINE
3684 SILSBY ROAD

UNIVERSITY HEIGHTS, OH 44118

Case has been assigned to Judge:

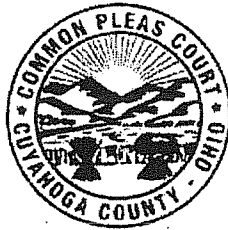
SHIRLEY STRICKLAND SAFFOLD
Do not contact judge. Judge's name is given for attorney's reference only.NAILAH K. BYRD
Clerk of the Court of Common PleasDATE
Aug 19, 2015

By

Deputy

COMPLAINT FILED 08/18/2015





NAILAH K. BYRD
CUYAHOGA COUNTY CLERK OF COURTS
1200 Ontario Street
Cleveland, Ohio 44113

Court of Common Pleas

New Case Electronically Filed:
August 18, 2015 14:52

By: MICHAEL L. FINE 0077131

Confirmation Nbr. 521028

RICKEY HOWARD

CV 15 849901

VTS.

Judge:

FIRSTENERGY CORP.

SHIRLEY STRICKLAND SAFFOLD

Pages Filed: 4

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

RICKEY HOWARD
20259 Lorain Rd., Apt. 201
Fairview Park, OH 44126

Plaintiff,

v.

FIRSTENERGY CORP.
c/o C T Corporation System
1900 East 9th Street
Cleveland, OH 44114

Defendant.

) CASE NO:

)
) JUDGE _____ SHIRLEY STRICKLAND
) CV 15 849901
)

Complaint

) JURY TRIAL DEMANDED
)
)
)
)
)

COMPLAINT

NOW COMES PLAINTIFF, **RICKEY HOWARD**, by and through the undersigned counsel, and for his complaint against Defendant **FIRSTENERGY CORP.** ("FirstEnergy") states as follows:

INTRODUCTION

1. This action is brought for violations of the Telephone Consumer Protection Act, 47 U.S.C. §227 (the "TCPA"), which prohibits calls using automatic telephone dialing systems, or artificial or prerecorded voices, to call cellular telephones without the express permission of the recipient, and which creates a private right of action to redress violations thereof. Congress has found that such unwanted automated calls are a "nuisance and an invasion of privacy, regardless of the type of call."

VENUE AND JURISDICTION

2. Whereas the events and circumstances leading up to and asserted in this Complaint arose in Cuyahoga County, this Court is the proper venue under Civ. R. 3(B)(3).
3. As Defendant transacts business in Ohio and caused tortuous injury to Plaintiff in Ohio, Defendant is subject to this Court's personal jurisdiction.
4. Whereas the law noted above invests Plaintiff with a private cause of action and permits Ohio courts of competent jurisdiction to hear said claims, this Honorable Court has subject jurisdiction of these claims.

PARTIES

5. Mr. Howard is, and was at all relevant times herein, a resident of Cuyahoga County, Ohio.
6. Mr. Howard is a consumer.
7. On information and belief, FirstEnergy is an Ohio corporation engaged in the energy industry in Ohio.

FACTS.

8. FirstEnergy began calling Mr. Howard within the past one to two years.
9. Their calls were to Mr. Howard's cellular telephone.
10. FirstEnergy was attempting to reach an individual named "William J. Summerstein" or a person of similar name.
11. Mr. Howard orally informed FirstEnergy that he was not this person and that they had the wrong number.
12. Mr. Howard informed FirstEnergy that they were calling him on his cell phone, and he requested that the calls stop.

13. Mr. Howard also inform FirstEnergy in writing that they were mistakenly calling him, the calls were harassing, and he demanded the situation be corrected.
14. Nonetheless, the calls continued.
15. FirstEnergy made at least thirty (20) unlawful calls to Mr. Howard's cell phone.
16. On knowledge and belief, FirstEnergy used an automatic telephone dialing system and/or an artificial or prerecorded voice to place its calls.

CLAIM FOR RELIEF
(TCPA Violations)

17. Plaintiff re-alleges and incorporates by reference each and every preceding paragraph as if fully rewritten herein.
18. As described above, FirstEnergy made calls to Plaintiff's cellular telephone, via an automatic telephone dialing system and/or using an artificial or prerecorded voice, without his express permission.
19. Even if permission was granted, Plaintiff subsequently revoked that permission as described above.
20. Moreover, as described herein, the calls were made knowingly.
21. Thus, under the TCPA, FirstEnergy is liable to the Plaintiff for a minimum of \$500 per phone call and up to \$1,500 per call.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays as follows:

- A. That this Court awards to Plaintiff \$1,500 for each call placed by Defendant to Mr. Howard's cell phone.
- B. That this Honorable Court awards to Plaintiff such other and further relief as may be just and equitable.

Respectfully submitted,

s/ Michael L. Fine

Michael L. Fine (0077131)

3684 Silsby Road

University Heights, OH 44118

Phone (216) 320-9950

Fax (216) 320-9953

mfine@ohioconsumerlawyer.com

JURY DEMAND

Plaintiff hereby requests a trial by jury as to all issues of fact in this action.

s/ Michael L. Fine

Michael L. Fine (0077131)

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